

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

22 ACQUISITION CORP.

Debtor

DONALD F. WALTON, ACTING
UNITED STATES TRUSTEE, REGION 3

Appellant

vs.

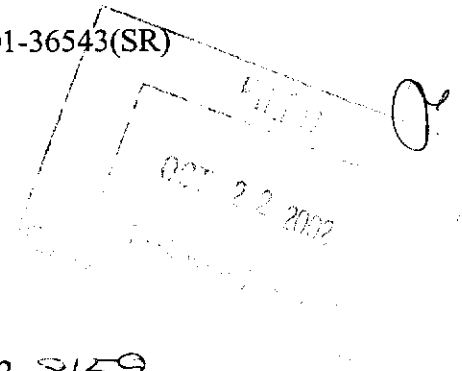
22 ACQUISITION CORP.

Appellee

Chapter 11

Case No. 01-36543(SR)

App No. 02- 8159



**COUNTER DESIGNATION BY 22 ACQUISITION CORPORATION OF
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL OF
THE OPINION AND ORDER AUTHORIZING EMPLOYMENT
OF TOTAL HEALTHCARE CONSULTANTS OF TEXAS, LLC**


22 Acquisition Corporation (the "Debtor") by and through its undersigned counsel, pursuant to bankruptcy rule 8006, hereby counter designates items to be included on the record on appeal filed by Donald F. Walton, Acting United State Trustee (the "UST") of the Order Granting Authority to Employ Total Healthcare Consultants of Texas, LLC entered on Spetember 19, 2002 and sets forth the counter designation of items as follows:

Counter Designation of Items to be Included in Record on Appeal

1. Memorandum in support of Application to Employ Total Healthcare of Texas, LLC filed by Heller Healthcare Finance, Inc. (Docket #85).

2. Motion by United States Trustee to Dismiss, to Convert Case from Chapter 11 to Chapter 7 (Docket #129).
3. Response by Debtor to Motion to Convert Case from Chapter 11 to Chapter 7 (Docket #138).
4. Order Denying Motion to Convert Case from Chapter 11 to Chapter 7. (Docket #153).
5. Application by United State Trustee Frederic J. Baker to employ John Francis Gough as Examiner (Docket #210).
6. Order Granting Application to Employ John Francis Gough as Examiner (Docket #213).
7. Motion by Debtor for Authority to Expand the Scope of Employment of Total Healthcare of Texas, LLC (Docket #243).
8. Order dated May 7, 2002 from District Court (Docket #364).
9. Objection by UST for Authority to Expand the Scope of Employment of Total Healthcare of Texas, LLC (Docket #368).
10. Order Deferring Motion for Reconsideration (Docket #418).
11. Motion by Debtor to Correct Opinion Authorizing Employment of Total Healthcare of Texas, LLC (Docket #494).
12. Motion by Debtor 22 Acquisition Corp. to Dismiss the Appeal Filed by the UST (Docket #502).

13. Report of John Francis Gough, Esquire as Court Appointed Examiner
dated May 31, 2002 (not filed but entered as evidence).

A handwritten signature in dark ink, appearing to read "Robert J. Lenahan", is written over a horizontal line.

Robert J. Lenahan, Esquire
Adelman Lavine Gold and Levin
A Professional Corporation
1900 Two Penn Center Plaza
Philadelphia, PA 19102
215-568-7515

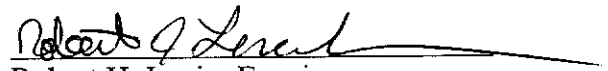
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 11
	:	
22 ACQUISITION CORP.	:	
	:	
	:	
Debtor	:	CASE NO. 01-36543SR

CERTIFICATE OF SERVICE

I, Robert H. Levin, Esquire, certify that on October 22, 2002, I caused to be served a copy of the Counter Designation by 22 Acquisition Corporation of Items to be Included in the Record on Appeal of the Opinion and Order Authorizing Employment of Total Healthcare Consultants of Texas LLC *via* facsimile to the parties in interest on the attached list.

Date: October 22, 2002


Robert H. Levin, Esquire
Adelman, Lavine, Gold and Levin
1900 Two Penn Center Plaza
Philadelphia, PA 19102
215-568-7515

See Attached List

Service List

George M. Conway, Esquire
United States Department of Justice
Office of the United States Trustee
601 Walnut Street
Curtis Center, Ste. 950 West
Philadelphia, PA 19106
Fax # 215-597-5795

John Aloysius Cogan, Jr, Esquire
Assistant Regional Counsel
Office of the General Counsel
U.S. Department of Health and Human Services
150 South Independence Mall West, Ste. 423
Philadelphia, PA 19106
Fax #215-861-4456

John Clemency, Esquire
Quarles & Brady Streich Lang, LLP
2 N. Central Ave.
Phoenix, AZ 85004
Fax # 602-420-5004

Kevin Anderson, Esquire
Elliott Reihner Seidzikowski & Egan, P.C.
Union Meeting Corporate Center V
925 Harvest Drive
Blue Bell, PA 19422
Fax # 215-654-0568